

November 21, 2013

The regular monthly meeting of the Merrick County Joint Planning Commission was called to order by Chair Starostka at 7:00 p.m. Thursday, November 21, 2013 in Hearing Room at the courthouse in Central City. Upon roll call, those attending were Starostka, Rutten, Ogden, Wiegert, Wichmann, Ferris, Robinson, and Ohlman. Board Member Beckstrom has resigned from the Commission. Also present was Jen Myers, Planning Administrator. The meeting notice was published in both the Central City and Palmer Papers. Notice of this meeting was delivered to the Chairperson and members prior to the meeting. Open meeting notice procedures were presented by Starostka. Meeting minutes were available for review ten days prior to the meeting. A meeting was held October 24, 2013 but due to not meeting quorum requirements all agenda items will be redone. Representatives from Verizon Wireless and Nebraska Land Trust were at this previous meeting, so Myers will be presenting information that those representatives reported on then.

Meeting minutes from the August 22, 2013 meeting were presented. Ogden moved to approve the minutes as corrected. Ferris seconds the motion. With roll call, motion carries 8-0.

Wichmann motions to open the Public Hearing for the Horvath Towers LLC Conditional Use application. Robinson seconds the motion. With roll call motion carries 8-0. Public hearing opens at 7:04 p.m. Rich Kortite, Horvath Towers LLC representative, presented information regarding the proposed tower in Section 27, Township 16, Range 3, Merrick County. Mr. Kortite stated this will be a 195' tower, 199' to top of light. It will be supported by a 3 legged system. Myers stated this tower meets all setbacks. The ground in which the tower will be set will be leased from Eugene Kershew who was also present. He stated the lease has been signed and he does not oppose this on his property. Ohlman motions to approve the Horvath Towers LLC Conditional Use and recommend approval to the Silver Creek Village Board. Rutten seconds the motion. With roll call motion carries 8-0. Ogden motions to close the public hearing Ohlman seconds the motion. With roll call motion carries 8-0.

Wichmann motions to open the Public Hearing for the Verizon Wireless Conditional Use application. Ferris seconds the motion. With roll call motion carries 8-0. Public hearing opens at 7:13 p.m. Myers presented information regarding Verizon Wireless application. Myers informed the Board this cell phone location will be in Section 13, Township 13, Range 8. She informed the Board that the tower, 260' in height, meets setback regulations in addition to all the other requirements of the application. Myers presented the information Jeff Skinner, representative of Verizon Wireless, indicated at the October 24th meeting. Myers stated they have not been federally approved for this tower yet. They have signed leases from the property owner in which the tower will be placed. Mr. Skinner had stated they will not be able to build the tower until their federal approval is received. Myers also explained to the Board that after speaking to Mr. Skinner initially about co-location opportunities on the existing towers, he stated that Viearo never returned phone calls and this location was already in the works before Horvath Towers was approved at the last meeting. Ohlman motions to recommend approval of the conditional use application, with the condition they will not start building until they have federal approval, to the County Board of Supervisors. Ogden seconds the motion. With roll call motion carries 8-0. Ferris motions to close the public hearing. Robinson seconds the motions. With roll call motion carries 8-0. Public hearing closes 7:17 p.m.

Wichmann motions to open the Public Hearing for the Cedar Lane Preliminary Plat Subdivision application. Robinson seconds the motion. With roll call motion carries 8-0. Public hearing opens at 7:18 p.m. Myers presented the information regarding the subdivision. She stated this is currently a development which the land owner Les McHargue is wanting to subdivide for the purposes of selling the ground to the current home owners. Mr. McHargue reinstated his intentions for the subdivision. He stated the road will be part of the subdivision so all parties have access to their respective property. It is his intentions to be able to deed the properties. Cal Holz, home owner on lot 5, wanted to speak about the lease issues, but Myers stated this is an issue between him and Mr. McHargue. The Rezacs, lots 1-3 home owners, stated they are in favor of this subdivision. Myers stated the subdivision has been approved by DEQ and meets subdivision regulations. Ohlman motions to approve the Cedar Lane Preliminary Plat Subdivision request. Rutten seconds the motion. With roll call motion carries 8-0. Ogden motions to close the Public Hearing. Wiegert seconds the motion. With roll call motion carries 8-0. Public Hearing closed 7:35 p.m.

The Board decided to proceed to consideration on the Final Plat of Cedar Lane Subdivision. Myers presented the Final Plat. Robinson motions to approve the Final Plat of Cedar Lane Subdivision and recommend approval to the County Board of Supervisors. Wiegert seconds the motion. With roll call motion carries 8-0.

Myers presented the information regarding the Schutz Conservation Easement. Myers explained that by Nebraska Statute Conservation Easements of this type have to be referred by the County Board to the Planning Commission to discuss any land use conflicts. A subsequent recommendation is made by the Planning Commission to the County Board to indicate if there are any conflicts of land use. Myers presented the information Dave Sands, Director Nebraska Land Trust,

presented at the October meeting to explain this particular Easement. Myers stated that this easement is requesting the state of the land to remain as natural grass ground which would not be a conflicting land use in the AG-1 district. Rutten moved to recommend approval of the Schutz Conservation Easement due to no land use conflicts to the County Board of Supervisors. Ogden seconds the motion. With roll call motion carries 7-1.

Myers presented the Glause small tract subdivision. Myers explained that this would be the first subdivision of the quarter and meets the rest of the subdivision regulations. Wichmann motions to approve the subdivision and recommend approval the County Board of Supervisors. Robinson seconds the motion. With roll call motions carries 8-0.

Myers presented the Ferris small tract subdivision. Myers explained this sale is pending with the owenrs keeping the house and selling the remainder of the ground. She stated this would be the first subdivision of the quarter and meets the rest of the subdivision regulations. Rutten motions to approve the subdivision and recommend approval the County Board of Supervisors. Ogden seconds the motion. With roll call motions carries 7-0. Ferris Abstain.

Myers informed the board that NIFA did not approve the grant application. She stated that the consultant she was planning on using the project is reworking the grant and we will be submitting it again for the November application date. She also informed the Board that Merrick County was approved for the Ag Friendly status and that we were waiting for the Governor to get us a date for the presentation.

No public comment.

Next meeting December 19, 2013. Starostka adjourns meeting at 8:00 p.m.